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APR 29 2004

**Fax****To:** USPTO Central Facsimile**From:** Christopher J. Kay, Reg. No. 44,820**Fax:** (703) 872-9306**Pages:** 10 (including cover page)**Phone:****Date:** 4/29/2004**Re:** U.S. Appin. No. 10/029,574☐ Urgent    ☒ For Review    ☐ Please Comment    ☐ Please Reply    ☐ Please Recycle

**PLEASE DELIVER TO EXAMINER B. A. WHITEMAN,  
ART UNIT 1635.**

Dear Examiner Whiteman,

As we discussed by telephone earlier today, the following is submitted to correct the unsigned response filed on March 1, 2004, so that this application is properly co-pending with a Continuation application filed today.

Thank you for your help in this matter.

Sincerely,



Christopher J. Kay, Ph.D.  
Registration No. 44,820

OFFICIAL

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APR 29 2004

In re application of

Per Sonne HOLM, et al.

Examiner: WHITEMAN, B. A.

Appln. No.: 10/029,574

Group Art Unit: 1635

Filed: December 20, 2001

Conf. No.: 4954

For: AGENTS FOR TREATING MALIGNANT DISEASES USING  
PROTEIN YB-1

Attorney Docket No.: 3961.002

Customer Number: 00004288

RESUBMISSION OF UNSIGNED RESPONSE UNDER 37 C.F.R. § 1.135(c)  
AND MPEP 714.01(a)

Mail Stop: \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant submits herewith a signed copy of the RESPONSE TO RESTRICTION REQUIREMENT, which was previously submitted without signature on March 1, 2004 with a signed Petition for a Two Month Extension of Time. Applicant also hereby ratifies the previously filed response pursuant to MPEP 714.01(a).

Because the response filed on March 1, 2004 was a bona fide attempt to advance prosecution, Applicant believes that he was entitled to a one-month period to correct the defect, which period is extendable under 37 C.F.R. § 1.136(a) pursuant to 37 C.F.R. § 1.135(c) and MPEP 714.01(a).

The one-month period to correct the lack of signature could have expired no sooner than April 1, 2004. Accordingly,

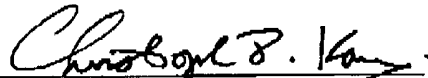
U.S. Patent Application No. 10/029,574  
RESUBMISSION OF UNSIGNED RESPONSE

ATTORNEY DOCKET NO.: 3961.002

Applicant submits herewith a Petition for a One Month Extension of Time to extend the period to correct the lack of signature to at least May 1, 2004.

However, should this calculation be in error, the Commissioner is hereby authorized to charge any additional fees necessary for the continued pendency of this application to Deposit Account 16-0877.

Respectfully submitted,



Christopher J. Kay  
Registration No. 44,820

PENDORF & CUTLIFF  
5111 Memorial Highway  
Tampa, Florida 33634-7356  
(813) 886-6085  
Date: April 29, 2004

U.S. Patent Application No. 10/029,574  
RESUBMISSION OF UNSIGNED RESPONSE

ATTORNEY DOCKET NO.: 3961.002

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that a copy of the foregoing RESUBMISSION OF UNSIGNED RESPONSE for U.S. Application No. 10/029,574 filed December 20, 2001, is being facsimile transmitted to the U.S. Patent and Trademark Office, Attn: Examiner Brian A. Whiteman, facsimile number (703) 872-9306 on this 29<sup>th</sup> day of April, 2004.

Christopher J. Kay

Name of Person Signing Certification

Christopher J. Kay  
Signature

4-29-04  
Date

AUTHORIZATION TO CHARGE

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

Christopher J. Kay  
Christopher J. Kay